

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

**KAREN COX,**

**Plaintiff,**

**v.**

**TULSA PUBLIC SCHOOLS,**

**Defendant.**

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**Case No. 03-CV-0655-CVE-FHM**

**OPINION AND ORDER**

Now before the Court is Defendant's Combined Motion and Brief for Judicial Review of Court Clerk's Taxation of Costs (Dkt. # 30). Defendant, Tulsa Public Schools, seeks taxation of costs against plaintiff, Karen Cox, for electronic research conducted by defense counsel.

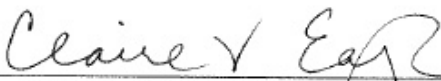
Rule 54 of the Federal Rules of Civil Procedure permits the assessment of costs, as a matter of course, in favor of a prevailing party unless the Court otherwise directs. Fed. R. Civ. P. 54(d)(1). Federal statute permits the taxation of costs by the Court for a number of litigation related expenses. 28 U.S.C. § 1920. Although the taxation of costs rests within the sound discretion of the trial court, Serna v. Manzana, 616 F.2d 1165, 1167 (10th Cir. 1980), the Tenth Circuit has held that costs for computer legal research are not statutorily authorized and has cautioned district courts to "sparingly exercise [their] discretion with regard to expenses not specifically allowed by statute." Jones v. Unisys Corp., 54 F.3d 624, 633 (10th Cir. 1995).<sup>1</sup> Since section 1920 does not provide for the taxation of costs for electronic research, the Court declines to alter the Court Clerk's determination of costs.

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<sup>1</sup> Erickson v. City of Topeka, Kansas, 239 F. Supp. 2d 1202, 1212 (D. Kan. 2002), addresses the taxation of costs pursuant to the authority provided under 42 U.S.C. § 1988, not § 1920.

**IT IS THEREFORE ORDERED** that defendant's motion for judicial review of court clerk's taxation of costs (Dkt. # 30) is hereby **granted in part** and **denied in part**. It is **granted** insofar as it properly seeks review of the Order on Bill of Costs (Dkt. # 29) entered by the Clerk of Court; it is **denied** to the extent that it seeks an amendment of that bill of costs.

**DATED** this 12th day of April, 2006.

  
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CLAIRE V. EAGAN, CHIEF JUDGE  
UNITED STATES DISTRICT COURT